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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/002,276	12/31/1997	SUE HARKINS CRIM	97-500	7642

7590 12/19/2001

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EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 12/19/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/002,276

Applicant(s)

CRIM ET AL

Examiner
Frantzy Poinvil

Art Unit
2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Oct 5, 2001

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 7-16, 22-31, and 37-51 is/are pending in the applica

4a) Of the above, claim(s) _____ is/are withdrawn from considera

5) ☒ Claim(s) 13-16, 28-31, and 43-48 is/are allowed.

6) ☒ Claim(s) 7-12, 22-27, 37-42 and 49-51 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirem

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-12, 22-27, 37-42 and 49--51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Riskin (US Patent No. 4,757,267).

As per claims 7-12, 22 and 37-42 and 49-51, Riskin discloses a telephone system for connecting a customer to a supplier of goods. The system comprises storing in a database a set of bundle codes, each bundle code including a set of products offered by a plurality of providers. Note column 8, lines 13-25. Receiving a request identifying a customer and including a bundle code (column 7, line 39 to column 8, line 12). Converting a portion of the received request into a set of provisioning requests based on the received bundle code and providing the provisioning requests to a providers are taught on column 8, lines 37-55. The claimed "bundle code" is equivalent to the telephone number dialed by the caller. The dialed number contains yields the product, advertiser and advertisement data which when decodes provides an automatic link to the advertiser thereby providing the provisioning requests to the plurality of providers.

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Riskin further teaches deciphering the bundle code to identify a provider for the selected product and storing information from the received request as a customer record. The determining step and transmitting step are also taught by Riskin on column 8, line 37 to column 11, line 27.

Applicant argues that Riskin's code only relates to one service providers. However, relating the code to a plurality of service providers would have been obvious to one of ordinary skill in the art to relate the code to more than one service providers because Riskin clearly teaches that the dialed number related to a particular product is used to direct other service providers selling the same product in the same geographical area. Note column 8, lines 37-55 of Riskin. While Riskin does not explicitly state the code relate to "a set of products", the Examiner asserts that such would have been obvious to one of ordinary skill in the art in order to associate related products as a set of products. Applicant is referred to column 8 of Riskin where Riskin identifies one of their product as a television set. A television set implies a television and a remote controller. Thus, relating the code to a set of products would have been obvious to one of ordinary skill in the art with the motivation of providing easy ordering steps of a set of associated products.

As per claims 49-51, formatting each provisioning request in the set of provisioning requests of one of the plurality of providers is taught on columns 13-14 of Riskin as providing a plurality of related files for each different product dealer record.

3. Claims 13-16, 28-31 and 43-48 are allowable over the art of record.

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4.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil, whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday through Thursday from 7:30 AM to 6:00 PM.

The fax phone number for this Art Unit is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

FP

14Dec01


Frantzy Poinvil
Primary Examiner
Art Unit 2164